

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, NOVEMBER 1, 2000**

PRESENT: Walter L. Alcorn, Commissioner At-Large
John R. Byers, Mount Vernon District
Judith W. Downer, Dranesville District
Suzanne F. Harsel, Braddock District
John B. Kelso, Lee District
Ronald W. Koch, Sully District
Ilryong Moon, Commissioner At Large
Peter F. Murphy, Jr., Springfield District
Linda Q. Smyth, Providence District
Laurie Frost Wilson, Commissioner At-Large

ABSENT: Janet R. Hall, Mason District
John M. Palatiello, Hunter Mill District

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The meeting was called to order at 8:22 p.m. by Vice Chairman John R. Byers.

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COMMISSION MATTERS

Commissioner Alcorn reminded the Commission that there would be another Residential Development and Infill Committee meeting on Wednesday, November 15, 2000 at 7:00 p.m. in the Board Conference Room.

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In the absence of Commissioner Hall, Vice Chairman Byers MOVED THAT THE DECISION ONLY ON SE-00-M-022, COSCAN WASHINGTON, INC., BE CHANGED TO A DATE CERTAIN OF NOVEMBER 15, 2000.

Commissioner Koch seconded the motion which carried unanimously with Commissioner Murphy not present for the vote; Commissioners Hall and Palatiello absent from the meeting.

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Commissioner Byers, at the request of the applicant, MOVED TO DEFER THE PUBLIC HEARING ON PCA-89-V-059 AND SE-00-V-031, TOSCO REFINING LP, TO A DATE CERTAIN OF DECEMBER 6, 2000.

Commissioner Koch seconded the motion which carried unanimously with Commissioner Murphy not present for the vote; Commissioners Hall and Palatiello absent from the meeting.

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Secretary Harsel MOVED THAT THE FOLLOWING SETS OF MINUTES BE APPROVED:

JANUARY 12, 2000	FEBRUARY 2, 2000
JANUARY 13, 2000	FEBRUARY 10, 2000
JANUARY 19, 2000	FEBRUARY 16, 2000
JANUARY 26, 2000	FEBRUARY 17, 2000
JANUARY 27, 2000	FEBRUARY 24, 2000

Commissioner Kelso seconded the motion which carried unanimously with Commissioner Murphy not present for the vote; Commissioners Hall and Palatiello absent from the meeting.

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ORDER OF THE AGENDA ITEMS

Secretary Harsel set the following order for the agenda items:

1. SE-00-D-029 - FRANCOIS HAERINGER
2. 2232-V00-34 - DEPARTMENT OF PUBLIC WORKS & ENVIRONMENTAL SERVICES
3. RZ-1999-PR-029 - COSCAN WASHINGTON, INC.
FDP-1999-PR-029 - COSCAN WASHINGTON, INC.

This order was accepted without objection.

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SE-00-D-029 - FRANCOIS R. HAERINGER - Appl. under Sect. 9-609 of the Zoning Ord. to permit parking in a R-District on property located at 332 Springvale Rd. on approx. 5.86 ac. zoned C-5 & R-E. Tax Map 3-4((1))30. DRANESVILLE DISTRICT. PUBLIC HEARING.

Mr. Reid Dudley, with Runyon, Dudley, Associates, Inc., reaffirmed the affidavit dated May 19, 2000. There were no disclosures by Commission members.

Mr. William Mayland, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the application.

Mr. Dudley explained that the applicant intended to expand the parking area for his restaurant. He added that the Great Falls Citizens Association supported the application and expressed the applicant's commitment to work with the community to address their concerns, such as tree save. He concurred with the proposed development conditions and noted the applicant's intention to dedicate right-of-way along the Springvale Road for possible future road widening.

Mr. Dudley responded to questions from Commissioner Byers regarding the recent fire on the premises.

In response to questions from Commissioner Byers, Ms. Kristen Abrahamson, ZED, DPZ, confirmed that a five percent deviation in the footprint of the building would be allowed during the rebuilding process before a new public hearing would be required.

Due to Chairman Murphy's late arrival, Vice Chairman Byers called for speakers from the audience, but received no response. He noted that no rebuttal was necessary. There being no further comments or questions from the Commission or closing staff remarks, he closed the public hearing and recognized Commissioner Downer for action on this case. (Verbatim excerpts are in the date file.)

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Commissioner Downer MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE-00-D-029, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED NOVEMBER 1, 2000.

Commissioner Kelso seconded the motion which carried unanimously with Commissioners Alcorn and Murphy not present for the vote; Commissioners Hall and Palatiello absent from the meeting.

Commissioner Downer MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENT IN FAVOR OF THE EXISTING VEGETATION; AND A MODIFICATION OF THE BARRIER REQUIREMENT IN FAVOR OF THE BARRIERS SHOWN ON THE SE PLAT; A MODIFICATION OF THE PERIPHERAL PARKING LOT LANDSCAPING REQUIREMENT IN FAVOR OF THE EXISTING BUFFER; AND A MODIFICATION OF PROVISION 6, PARKING IN R DISTRICTS, IN FAVOR OF THE SETBACK SHOWN ON THE SE PLAT; AND A MODIFICATION OF PROVISION 8 FOR PARKING IN R DISTRICTS IN FAVOR OF THE EXISTING VEGETATION.

Commissioner Kelso seconded the motion which carried unanimously with Commissioners Alcorn and Murphy not present for the vote; Commissioners Hall and Palatiello absent from the meeting.

Commissioner Downer MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER FOR STREET FRONTAGE CONSTRUCTION FOR BEECH MILL AND SPRING VALE ROADS; AND A MODIFICATION OF THE DEDICATION ON SPRING VALE ROAD AS SHOWN ON THE SE PLAT; AND A WAIVER FOR CURB AND GUTTER CONSTRUCTION ALONG BEECH MILL AND SPRING VALE ROADS; AND A WAIVER FOR SIDEWALK CONSTRUCTION.

Commissioner Kelso seconded the motion which carried unanimously with Commissioners Alcorn and Murphy not present for the vote; Commissioners Hall and Palatiello absent from the meeting.

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Prior to the hearing of the next case in the Mount Vernon District, Secretary Harsel assumed the Chair.

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2232-V00-34 - DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES - Appl. under provisions of Sects. 15.2-2204 & 15.2-2232 of the Code of Virginia to build a sewer pump station on approx. 0.1 acre located within the VDOT right-of-way near Telegraph Rd., S. of Newington Rd. Tax Map 99-4 (VDOT right-of-way). MOUNT VERNON DISTRICT. PUBLIC HEARING.

Ms. Pam Nee, Planning Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application.

Commissioner Byers explained the 2232 process, noting that the Commission did not have the authority to impose conditions on the application.

Mr. Randall Flowers, Utilities Planning and Design Division, Department of Public Works and Environmental Services (DPWES), noted that substantial landscaping would be provided and explained the odor control system to be employed.

In response to questions from Commissioner Byers, Mr. Flowers explained that the odor control system had been implemented in some of the older existing pump stations and would be added to others as the need arose.

Secretary Harsel called the first listed speaker and recited the rules for public testimony.

Mr. Bob Lindseth, 6852 Tiddle Way, Lorton, spoke in opposition to the application. He cited odor, noise and safety as his main concerns.

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In response to questions from Commissioner Byers, Mr. Jimmie Jenkins, System Engineering and Monitoring Division, DPWES, explained that the notation "SWM Pond No. 2" on the development plan referred to a stormwater management pond, not an overflow site for the proposed pump station. He confirmed that the pump station would be located inside a secured building, commented on the alternatives investigated and explained why the subject property was the best location for the proposed facility.

Ms. Catherine Thorsen, 8601 Accotink Road, Lorton, spoke in opposition. She suggested a location south of the subject property or alternatively that the proposed station be downsized to provide service only for the immediate neighborhood with the failing septic systems.

Secretary Harsel asked Mr. Jenkins to respond to Ms. Thorsen's suggestion. Mr. Jenkins explained that the station was sized to accommodate the entire sewer service area in accordance with the Board of Supervisors' policy. He added that the County currently maintained approximately 60 pump stations and that if they had been built to serve only adjacent neighborhoods, there would be 5,000 or more instead of 60.

In response to questions from Commissioner Koch, Mr. Jenkins explained that there was undeveloped land north of the subject property that would no doubt be developed at some point in the future. He added that the proposed pump station would be needed to serve those properties at that time.

In response to questions from Commissioner Alcorn, Mr. Jenkins stated that, in addition to the Board policy, there were provisions in the Public Facilities Manual governing the size of pump stations.

There being no further speakers, Secretary Harsel called upon Mr. Flowers for a rebuttal statement.

Mr. Flowers stated that a pump station in this area had been in the planning stage for more than four years, but that the subject property had only recently been selected. He said that the proposed building would have a pitched roof rather than the standard flat roof so that it would be more compatible with adjacent residential properties. He reiterated that the nearby pond would not be connected in any way to the pump station. He stated that the proposed security fence would be either green or black vinyl coated, not bare metal, and located inside the landscaping area. Mr. Flowers said that the only noticeable noise from the facility would be when the back-up generator was activated during a power outage or during regular testing by maintenance crews. He added that the new generator to be installed at this location would be quieter than those at older facilities.

In response to questions from Commissioner Harsel, Mr. Flowers stated that the closest house to the proposed facility was 165 feet away, across Telegraph Road.

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In response to further questions from Commissioner Harsel, Mr. Jenkins explained that the facility would be visited by maintenance personnel approximately two or three times a week and that security measures, such as locks, would be checked during those visits. He added that citizens who discovered an unsecured facility could call his office at 703-324-5030 during the week or the 800 sewer emergency number, located in the phone book, after office hours to obtain immediate assistance.

In response to questions from Commissioner Wilson, Mr. Flowers assured her that the applicant's plans had been coordinated with the Virginia Department of Transportation to accommodate any future road widenings.

In response to questions from Commissioner Downer, Mr. Flowers explained that the 120 townhomes referred to in the pump station design criteria in the staff report were projected residences based on existing zoning, not current housing.

There being no further comments or questions from the Commission and Ms. Nee having no closing staff remarks, Secretary Harsel closed the public hearing and recognized Commissioner Byers for action on this case. (Verbatim excerpts are in the date file.)

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Commissioner Byers MOVED THAT WE APPROVE 2232-V00-34.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioner Murphy not present for the vote; Commissioners Hall and Palatiello absent from the meeting.

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Vice Chairman Byers resumed the Chair at this point in the meeting.

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RZ-1999-PR-029 - COSCAN WASHINGTON, INC. - Appl. to rezone from R-3 to PDH-8 to permit residential development at a density of 6.50 du/ac & a waiver of the 200 ft. setback requirement from I-66 on property located in the S.E. quadrant of the intersection of Gallows Rd. & Cottage St. & N. of I-66 on approx. 10.14 ac. Comp. Plan Rec: 5-8 du/ac. Tax Map 49-2 ((1))11, 11A; ((3))5-8 & 10-19. (Concurrent w/FDP-1999-PR-029.) PROVIDENCE DISTRICT.

FDP-1999-PR-029 - COSCAN WASHINGTON, INC. - Appl. to approve the final development plan for RZ-1999-PR-029 to permit

residential development on property located in the S.E. quadrant of the intersection of Gallows Rd. & Cottage St. & N. of I-66 on approx. 6.0 ac. zoned PDH-8. Tax Map 49-2((1))pt. 11; ((3))pt. 6, pt. 12, pt. 13, pt. 14, 15-19. (Concurrent w/RZ-1999-PR-029.) PROVIDENCE DISTRICT. JOINT PUBLIC HEARING.

Lynne Strobel, Esquire, with Walsh, Colucci, Stackhouse, Emrich and Lubeley, reaffirmed the affidavit dated May 30, 2000. There were no disclosures by Commission members.

Ms. Cathy Lewis, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. She noted that staff recommended denial due to the application's failure to satisfy at least one half of the applicable residential development criteria.

Ms. Strobel commented on the applicant's credentials. She noted that the density requested, 6.5 dwelling units per acre (du/ac), was below the high end of the density range recommended in the Comprehensive Plan. She stated that one of the difficulties with the subject property was that 40 percent of it was located within 200 feet of I-66. She pointed out that the 200-foot setback from interstate highways was established in the Zoning Ordinance to ensure that noise impacts on proposed residential development would be mitigated and that the Ordinance specifically stated that the setback could be modified or waived if appropriate noise mitigation was provided. She said that the setback was not intended as a safety measure or to ensure adequate right-of-way for future road construction. She explained that the applicant did not plan any new residences within the setback area, but that there were four existing homes that would remain.

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(Chairman Murphy arrived during Ms. Strobel's presentation and assumed the Chair.)

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Ms. Strobel stated that the applicant had agreed to reserve land adjacent to I-66 for a period of three years to allow time for the Virginia Department of Transportation (VDOT) to reach a decision on possible road widening. In conclusion, she said that this application represented a good design, high quality development, and would be a good transitional use. She added that noise impacts on the four existing homes would be adequately mitigated.

In response to questions from Commissioner Smyth, Ms. Strobel stated that the subject property was currently zoned R-3 and that the density she referred to in her presentation represented present Comprehensive Plan recommendations, which she understood were being reviewed as part of an overall evaluation of the Merrifield area.

In response to questions from Commissioner Koch, Ms. Strobel confirmed that the area proposed for conservation was where the existing homes were located and Ms. Kristen Abrahamson, ZED, DPZ, explained that the residents could obtain a license agreement from the State to occupy their homes until the land was needed for road widening. She added that similar situations had occurred in Fairfax County before, so such an arrangement was not unprecedented.

In response to questions from Commissioners Smyth and Commissioner Murphy, Mr. Michael Davis, Department of Transportation, discussed the various options for widening of I-66.

In response to questions from Commissioner Smyth, Mr. Irish Grandfield, Planning Division, DPZ, explained that the projections in the noise study submitted by the applicant's consultant were based on future traffic volumes, but not additional lanes or ramps.

In response to questions from Commissioner Alcorn, Ms. Strobel confirmed that the applicant was the contract purchaser of the subject property and that the four present homeowners had already agreed to sell to the applicant and would therefore no longer own their homes regardless of any agreement to dedicate land. She added that if the applicant was not given any benefit from that portion of the property, there would be less incentive to purchase those lots.

Commissioner Smyth pointed out that dedication of land for future road widening was not the main issue in this case.

There being no further questions or comments from the Commission, Chairman Murphy called the first listed speaker. He reminded the audience that the rules recited by Secretary Harsel earlier were still in effect.

The following individuals spoke in opposition to the applicant's proposal. They cited excessive density and insufficient noise mitigation as their main concerns. They were also opposed to any development within the 200-foot setback area and the proposed location of a sound barrier.

1. Mr. Eugene Barnes, 2551 Gallows Road, Dunn Loring
2. Ms. Rebecca Cate, 8119 Westchester Drive, Vienna
3. Mr. Michael Cavin, 8119 Westchester Drive, Vienna
4. Mr. Len Warren, 8057 Prichards Court, Dunn Loring
5. Mr. John Bogue, 2540 Villanova Court, Vienna
6. Ms. Julia Tutwiler, 8217 Westchester Drive, Vienna
7. Mr. Tim Reed, 8205 Bucknell Drive, Vienna
8. Mr. John Eltzroth, 8100 Revatom Court, Dunn Loring
representing the Dunn Loring Improvement Association

10. Ms. Karen Hunt, 2431 Villanova Drive, Vienna
representing Stonewall Manor

Following Ms. Cate's testimony and prior to Mr. Cavin's testimony, Ms. Lewis responded to questions from Commissioner Smyth regarding the applicant's tree save plan. She added that since less than 50 units were proposed, no affordable dwellings were required in the northern portion of the FDP property.

Speaker #9, Mr. Walter Stenhouse, 2621 Stenhouse Place, Dunn Loring, spoke in support of the application. He presented a land use history of the subject property and explained why he had selected Coscan. He explained that he had lived on the subject property for 64 years and did not object to development within the 200-foot setback.

There being no further speakers, Chairman Murphy called upon Ms. Strobel for a rebuttal statement.

Ms. Strobel reiterated that the density proposed was well within the Comprehensive Plan recommendations. She maintained that the noise impact would be adequately mitigated. She repeated that Coscan was a well-respected developer that had worked hard to make this project work.

Ms. Lewis responded to questions from Commissioner Harsel regarding surrounding land uses. She confirmed that the density proposed by the applicant would apply to the entire 10.14 acres.

In response to questions from Commissioner Harsel, Mr. Davis said it was his understanding that I-66 would definitely be widened in this area sometime in the future. He stated that it had yet to be determined how many lanes would be added and where access ramps would be located.

In response to questions from Commissioner Alcorn, Ms. Lewis confirmed that a minimum of four residential development criteria were needed and that the applicant had met only one and a half of those.

There being no further comments or questions from the Commission and Ms. Lewis having no closing staff remarks, Chairman Murphy closed the public hearing and recognized Commissioner Smyth for action on this case. (Verbatim excerpts are in the date file.)

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Commissioner Smyth MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS DENY RZ-1999-PR-029 AND THE CONCEPTUAL DEVELOPMENT PLAN.

RZ-1999-PR-029 - COSCAN WASHINGTON, INC.
FDP-1999-PR-029 - COSCAN WASHINGTON, INC.

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Commissioners Alcorn and Byers seconded the motion which carried unanimously with Commissioners Downer and Kelso not present for the vote; Commissioners Hall and Palatiello absent from the meeting.

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION DENY
FDP-1999-PR-029.

Commissioners Alcorn and Byers seconded the motion which carried unanimously with Commissioners Downer and Kelso not present for the vote; Commissioners Hall and Palatiello absent from the meeting.

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The meeting was adjourned at 10:57 p.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

For a verbatim record of this meeting, reference may be made to the audio and video recordings which may be found in the Office of the Planning Commission of Fairfax County, Virginia.

Minutes by: Gloria L. Watkins

Approved on: September 12, 2001

Mary A. Pascoe, Clerk to the
Fairfax County Planning Commission